

## **REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the Office Action dated September 26, 2006.

### **Claim Amendments**

The independent claims have been amended to specify a nozzle plate and, further, that the heater element is a suspended cantilever beam positioned parallel with a plane of the nozzle plate. Basis for these amendments can be found throughout the description (see, for example, Figure 1).

### **Claim Rejections – 35 USC 103(a)**

The Examiner essentially relies on Kubby's disclosure of a suspended heater element (see Figure 5 of Kubby) to allege that the present invention is obvious.

In the Applicant's submission, the present invention as defined by claims 1, 19 and 38 is not obvious in view of Kubby, because Kubby's only teaching of a suspended heater element having both faces in contact with ink (Figure 5) requires the heater element to be *perpendicular* to the plane of the nozzle plate.

A problem with Kubby's arrangement is that ink droplets would be ejected at a skewed angle relative to the nozzle plate. This problem is avoided in the present invention, because the suspended cantilever beam heater element is arranged *parallel* with the nozzle plate.

Kubby evidently had it in mind that his perpendicular arrangement would not impede ink flow through the nozzle, but this is at the expense of skewed ink ejection. However, the present Applicant has understood that ink flow is not compromised if suspended heater elements are configured appropriately.

There is nothing within the disclosure of Kubby teaching the skilled person to arrange a suspended heater element (having both faces in contact with ink) as defined in the Applicant's claims. Accordingly, it is submitted that the present invention is not obvious in view of Kubby, either taken alone or in combination with any of the other cited documents.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

Applicant/s:



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